



**CITY OF LONG LAKE
PLANNING COMMISSION MEETING MINUTES
September 10, 2019**

CALL TO ORDER

The meeting was called to order at 6:30 p.m. by Chair Adams.

Present: Chair: Adams; Commission Members: Hughes, See, and Secord; City Administrator Weske; City Planning Consultant Imihy

Absent: Steve Keating with Prior Notice

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVE AGENDA

Commissioner Secord moved to approve the agenda as presented. Commissioner Hughes seconded. Ayes: all.

CONSENT AGENDA

A. Minutes of the August 12, 2019 Planning Commission Meeting

Commissioner Hughes moved to approve the Consent Agenda as presented. Commissioner See seconded. Ayes: all.

OPEN CORRESPONDENCE

None.

BUSINESS ITEMS

- A. Public Hearing (Tabled at Applicant's Request): Planning Case #2019-13 (Lifestyle Communities, LLC) Request for Rezoning to Planned Unit Development, Planned Unit Development Master Plan and a Preliminary Plat for 57 Cooperative Style Condominium Units at 1948 Wayzata Boulevard W and 570 Brown Road N

Chair Adams stated that the applicant has requested that the Planning Commission table this item until the October meetings for both the Planning Commission and the City Council. He stated that in lieu of the public hearing, the applicant will be inviting neighbors in attendance at the hearing to meet in the City Hall Conference Room where the applicant will welcome discussion, concerns or feedback they may have about the current status of the project plans.

Commissioner Secord moved to table the Public Hearing for Planning Case #2019-13 (Lifestyle Communities, LLC) Request for Rezoning to Planned Unit Development, Planned Unit Development Master Plan and a Preliminary Plat for 57 Cooperative Style Condominium Units at 1948 Wayzata Boulevard W and 570 Brown Road N. Commissioner See seconded. Ayes: all.

B. Public Hearing: Planning Case #2019-14 (Tracy Diehl, Archland Property I, LLC/McDonalds Corporation) Request for a Variance to Allow for a Pre-Browse Menu Board Sign Exceeding the Allowable Height and Sign Area on the Property at 2410 West Industrial Boulevard

Planning Consultant Imihy presented. She noted staff recommends the City Council deny this request.

Commissioner Secord asked if there would be an option for them to have two signs.

Planning Consultant Imihy stated that they can have two signs, but the issue with these is that they are too large. She explained that they would have to be 6 square feet instead of 10 square feet and about 2 feet shorter. She stated that she was told that the manufacturer does not make these signs any smaller.

Chair Adams opened the public hearing at 6:40 p.m.

Tracey Diehl, 6487 Hilliard Drive, Canal Winchester, OH, (representing McDonalds) stated that there is a discrepancy in the plans and the measurements are different than what was originally submitted because they were incorrectly converted from millimeters. She indicated that there is also a narrow rim that goes around the sign that has also created a bit of a discrepancy in the numbers. She stated that the pre-browse menu board is 8.6 square feet. She stated that the three paneled menus work together to move people through the drive-through. She stated that the question of hardship is there can be safety, car stacking issues, drive-through delays that make people angry and when they try to scoot out, they run the risk of running into someone else that is in the parking lot. She stated that the intent of the menu board system is to keep the traffic moving steadily through the drive-through quickly and safely. She described the existing menu board and noted that the new signage is actually smaller than the existing signage which reduces the non-conformity. She stated that the existing boards are obsolete and described the features of the new menu boards. She stated that the main reason for the pre-browse menu board is to improve safety. She stated that there is no other size option other than to shorten the pedestal a bit. She stated that if these three menu boards were smushed together and measured as one unit, it would be allowed. She stated that the new signage requirements are a mandate from McDonalds corporate offices. She gave examples of cities in Minnesota who have changed their rules to allow this type of signage.

Chair Adams stated that he cannot believe that McDonalds corporate offices did not have any provisions in their plan for variances in local rules and regulations.

Mr. Diehl stated that she has been working on this project for 19 months and these are the only menu boards that she has seen.

Planning Consultant Imihy stated that whether or not the three menu boards combined together were less than the allowed square footage for signage does not apply because that is not how the ordinance is written. She stated that other cities passing variances to allow this type of sign does not obligate the City or set a precedent that needs be followed. She stated that she was not able to meet with the applicant before the application, otherwise her recommendation would have been a text amendment. She stated that if the Planning Commission is leaning towards granting the variance, she would suggest directing staff to do a text amendment rather than creating a variance because she does not see a hardship or practical difficulty in this situation.

Commissioner Hughes asked who supplied the sign specs.

Ms. Diehl stated that they came from an Australian company named The Coates Group.

Commissioner Hughes stated that he feels it is somewhat disingenuous to say that this is a pre-browse menu because the pictures show that it is just an advertisement.

Ms. Diehl agreed that the picture is misleading but noted that she can show existing menu boards that offer menu options and not just advertisements.

Commissioner See stated that she does not eat at fast food establishments so she is not familiar with this procedure. She stated that she looks at this and sees an advertisement. She asked if a pre-browse menu and a pre-browse board were the same.

Ms. Diehl explained that the pre-browse menu board is typically 3 or 4 menu items that, especially during peak times, will entice them to order something that will get them through the drive-through process more quickly. She stated that the overall intent is to speed up the decision-making process.

Commissioner See stated that she has a hard time understanding how a company as smart as McDonalds would not understand that as they travel around the country they would be dealing with issues and different rules that would require them to be a bit more flexible. She stated that it appears as though McDonalds is just expecting the small towns to conform to what they want.

Weske stated that it is not just the small towns, because they are expecting all towns to conform.

Commissioner See stated that she has a problem with this type of mentality.

Commissioner Secord asked about shortening the signs.

Ms. Diehl stated that she has seen them brought down to 4 feet 11 inches.

There being no additional public comment, Chair Adams closed the public hearing at 6:55 p.m.

Chair Adams stated that while he appreciates the discussion points made about safety, the primary purpose of the pre-browse menu is to move traffic through the line more quickly,

which is a purely economic reason. He noted that a variance cannot be granted for purely economic reasons.

Commissioner See stated that the applicant has also not met any criteria in order to allow the variance.

Planning Consultant Imihy asked if the Planning Commission would be interested in a text amendment.

Chair Adams stated that he feels that would require further thought. He stated that the three panels are the same size which makes it easier for the manufacturer.

Ms. Diehl stated that the reason why the panels are equal in size is because they are technology and are essentially computer screens. She explained that if they changed the size of them for every single location's specifications, the technology would also have to change, which is not practical. She stated that these panels are not just signs and explained that they will have facial and voice recognition capabilities.

Commissioner See asked why a drive-through menu would need to have facial recognition.

Ms. Diehl stated that it was simply one of its capabilities.

Chair Adams stated that at work he has three different monitors in different sizes and when he moves Windows from one to the other, the technology automatically resizes so he feels that technology already exists. He asked what the procedure would be if the Commission decided it wanted to pursue a text amendment.

Planning Consultant Imihy stated that the Planning Commission would need to recommend denial of the variance which would still go before the Council for their decision. She stated that along with that recommendation, the Commission could share with the Council that rather than a variance, they recommended a text amendment since there was not a practical difficult to grant the variance. She stated that if Council approves, she can bring forward a draft text amendment to the October Planning Commission meeting.

Commissioner Hughes moved to recommend the City Council deny the Request for a Variance to Allow for a Pre-Browse Menu Board Sign Exceeding the Allowable Height and Sign Area on the Property at 2410 West Industrial Boulevard, Planning Case: #2019-14. (Tracy Diehl, Archland Property I, LLC/McDonalds Corporation) Commissioner Secord seconded. Ayes: all.

Ms. Diehl asked if there would be minutes recorded of this meeting.

Chair Adams confirmed that there would be minutes of the meeting.

Ms. Diehl asked to go on record that she had asked if it was a text amendment or a variance from the very start of the process. She stated that she did not speak with Planning Consultant Imihy, but did speak with someone else during the denial of the permit process because they were handling other text amendments in this area. She stated that they were initially under the impression that a text amendment was the process and were told that they should pursue the variance. She stated that they will support a text amendment.

Commissioner Hughes left the meeting at 7:02 p.m.

OTHER BUSINESS

A. Council Liaison Report

Council member Skjaret gave an overview of the Council discussion from the August 20, 2019 and the Council Work Session from September 3, 2019, as reflected in those minutes.

B. Commission Member Business

None.

C. Staff Business

None.

ADJOURN

Commissioner See moved to adjourn the meeting at 7:21 p.m. Commissioner Secord seconded. Ayes: all.

Respectfully submitted,

Scott Weske
City Administrator